

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

USF HOLLAND

and

Case 15-CA-148513

KEVIN JOHNIGARN

ORDER¹

USF Holland's petition to revoke subpoena duces tecum B-1-N5HY9N is denied. The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Petitioner has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., October 22, 2015.

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
LAUREN McFERRAN,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.